

600.14. Contribution Verdict Form--Comparative Negligence an Issue--Verdict for Plaintiff

Verdict Form A

We, the jury, find for [plaintiff's name] and against the following defendant or defendants:

[name of defendant 1]	Yes ___	No ___
[name of defendant 2]	Yes ___	No ___

We further find the following:

First: Without taking into consideration the question of reduction of damages due to the [negligence] [other damage reducing defense] of [name of plaintiff], if any, we find that the total amount of damages suffered by [name of plaintiff] as a proximate result of the occurrence in question is ____, itemized as follows:

List each category of damages, e.g.

The disfigurement resulting from the injury \$_____

Insert other damages categories from IPI \$_____
30.05, 30.05.01, 30.07, 30.08, 30.09 or as
applicable

PLAINTIFF'S TOTAL DAMAGES \$_____

Second: As to the contribution claims brought by [third-party plaintiff's name], we find:

Against [third-party defendant 1]	Yes ___	No ___
Against [third-party defendant 2]	Yes ___	No ___

Third: Assuming that 100% represents the total combined legal responsibility of all [persons] [or] [entities] who [that] proximately caused [name of plaintiff] injury, we find the percentage of legal responsibility attributable to each as follows:

a) [plaintiff's name] ____%

b) [defendant #1 name] ____%

c) [defendant #2 name] ____%

d) [3rd party defendant 1 name] ____%

e) [3rd party defendant 2 name] ____%

f) [other name¹]

¹The Committee recommends that non-parties be excluded from the verdict form until the trial judge first makes the determination that sufficient evidence has been presented to support a jury finding of fault with respect to that non-party. Assuming such is presented and if the jury will need to decide whether plaintiff was contributorily negligent, then the non-party should be listed on the verdict form based on *Bofman v. Material Serv. Corp.*, 125 Ill.App.3d 1053 (1st Dist. 1984) and *Smith v. Central Ill. Pub. Serv. Co.*, 176 Ill.App.3d 482 (4th Dist. 1988). For contribution cases in which plaintiff's contributory fault is not an issue, use IPI 600.14A.

(Instructions to Jury: If you find that plaintiff was not [contributorily negligent] [other damage reducing defense], or if you find any other party listed on the verdict form was not legally responsible in a way that proximately caused plaintiff's injury, you should enter a zero (0)% as to that party.)

Fourth: After reducing the plaintiff's total damages [(from paragraph First)] by the percentage of [negligence] [fault], if any, of ____ [(from line (a) in paragraph Third)], we award ____ recoverable damages in the amount of ____.

[Signature lines]

Verdict Form and Notes revised January 2010.

Notes on Use

This verdict form is appropriate to use in cases where there are contribution claims involving one or more third-party complaints and where the issue of contributory fault will be decided by the jury. If there is no issue of contributory fault, use *IPI 600.14A*. This verdict form serves as a basis to determine all fact issues relating to comparative negligence, joint and several liability and contribution.

B45.03A is similar to this verdict form, except it lacks the paragraph "Second" providing for findings for or against third-party defendants. B45.03A is intended for use in cases involving contribution claims among defendants, tried concurrently with the plaintiff's claim.